

THE HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VERTISEL ISAAC, a single man,

Plaintiff,

v.

J. C. Penny Company, Inc., a foreign
corporation and its wholly owned subsidiary,
J. C. Penny Corporation, a foreign
corporation, dlb/a J. C. Department Store;
Simon Property Group, Inc., dlb/a Tacoma
Mall, a foreign corporation; and
Tacoma Mall Partnership, a foreign
partnership,

Defendants.

NO. C09-5402 RBL

STIPULATION FOR AND ORDER
DISMISSING DEFENDANTS SIMON
PROPERTY GROUP AND TACOMA
MALL PARTNERSHIP

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties, through
their respective counsel of record, that any and all claims asserted by Plaintiff Vertisel Isaac as
against Simon Property Group, Inc., and/or Tacoma Mall Partnership in the above-entitled matter

STIPULATION FOR AND ORDER
DISMISSING DEFENDANTS SIMON
PROPERTY GROUP AND TACOMA MALL
PARTNERSHIP (C09-5402 RBL) - 1

JOHNSON ANDREWS & SKINNER, P.S.
200 W. Thomas Street, Suite 500
Seattle, WA 98119-4296
TEL: 206-223-9248 | FAX: 206-623-9050

1 may be dismissed in their entirety with prejudice and without cost to any party.

2 Defendant J.C. Penney Corporation, Inc., by and through its attorney of record, hereby
3 stipulates that it leased the area of the premises put at issue by the Plaintiff's Complaint, and that
4 it therefore assumes responsibility for the condition of the premises at the location of the subject
5 incident. However, J.C. Penney Corporation, Inc., expressly reserves the right to dispute the
6 existence of any defective or dangerous condition, its knowledge of such condition, and/or the
7 causal relationship between such condition and the subject incident.

8 SIGNED this 25th day of August, 2009, at Seattle, Washington.

9 JOHNSON ANDREWS & SKINNER, P.S.

10
11 By s/ Sasha S. Philip

12 SASHA S. PHILIP, WSBA #32202

13 Attorneys for Defendants J.C. Penney Corporation,
14 Inc., Simon Property Group, Inc., and Tacoma Mall
Partnership

15 SIGNED this 19th day of August, 2009, at Tacoma, Washington.

16 LAW OFFICE OF RICHARD J. WILLIAMS

17 By s/ Richard J. Williams

18 RICHARD J. WILLIAMS, WSBA #12492

19 Attorneys for Plaintiff
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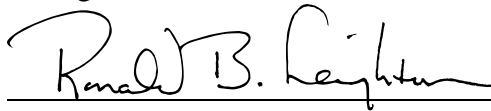
1 **ORDER**

2 Based upon the foregoing Stipulation,

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that any and all claims
4 asserted by Plaintiff Vertisel Isaac as against Simon Property Group, Inc., and/or Tacoma Mall
5 Partnership in the above-entitled matter may be dismissed in their entirety with prejudice and
6 without cost to any party.

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, for purposes of the
8 instant litigation, J.C. Penney Corporation, Inc., shall be deemed responsible for the condition of
9 the premises at the location of plaintiff's fall. J.C. Penney Corporation, Inc., shall retain the right
10 to dispute the existence of any defective or dangerous condition, its knowledge of such
11 condition, and/or the causal relationship between such condition and the subject incident.

12 IT IS SO ORDERED this 27th day of August, 2009.

13 

14 RONALD B. LEIGHTON
15 UNITED STATES DISTRICT JUDGE

16 Presented by:

17 JOHNSON ANDREWS & SKINNER, P.S.

18 By s/ Sasha S. Philip
19 SASHA S. PHILIP, WSBA #32202
20 Attorneys for Defendants J.C. Penney
21 Corporation, Inc., Simon Property Group, Inc.,
22 and Tacoma Mall Partnership
LAW OFFICE OF RICHARD J. WILLIAMS

STIPULATION FOR AND ORDER
DISMISSING DEFENDANTS SIMON
PROPERTY GROUP AND TACOMA MALL
PARTNERSHIP (C09-5402 RBL) - 3

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1 By s/ Richard J. Williams
2 RICHARD J. WILLIAMS, WSBA #12492
3 Attorneys for Plaintiff
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STIPULATION FOR AND ORDER
DISMISSING DEFENDANTS SIMON
PROPERTY GROUP AND TACOMA MALL
PARTNERSHIP (C09-5402 RBL) - 4

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